

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:
All Actions

**DECLARATION OF
BENJAMIN W. HULSE IN SUPPORT
OF DEFENDANTS' MOTION FOR
PROTECTIVE ORDER
CONCERNING PLAINTIFFS'
SUBPOENAS TO THIRD-PARTY
MANUFACTURERS OF PATIENT
WARMING DEVICES**

Under 28 U.S.C. § 1746, I, Benjamin W. Hulse, hereby declare as follows:

1. I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant") (collectively "Defendants") in this litigation. I submit this affidavit in support of Defendants' Motion for Protective Order Concerning Plaintiffs' Subpoenas to Third-Party Manufacturers of Patient Warming Devices. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

2. Attached as Exhibit A is a true and correct copy of Plaintiffs' subpoena to Cincinnati Sub-Zero Products, LLC.

3. Attached as Exhibit B is a true and correct copy of Plaintiffs' subpoena to Medline Industries, Inc.

4. Attached as Exhibit C is a true and correct copy of Plaintiffs' subpoena to Stryker Corporation.

5. Attached as Exhibit D is a true and correct copy of Plaintiffs' subpoena to Gaymar Industries, Inc.

6. Attached as Exhibit E is a true and correct copy of Plaintiffs' subpoena to MTRE Advanced Technologies, Ltd.

7. Attached as Exhibit F is a true and correct copy of my February 22, 2017 letter to Plaintiffs' counsel Gabriel Assaad objecting to the five subpoenas and requesting that Plaintiffs withdraw them.

8. Attached as Exhibit G is a true and correct copy of my March 7, 2017 letter to Gabriel Assaad requesting confirmation that Plaintiffs will withdraw the pending subpoenas to the five third-party manufacturers.

9. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 10th day of March, 2017.

s/ Benjamin W. Hulse
Benjamin W. Hulse